

# **Importance of Data in Providing Quality Assistance**

***Presented by***

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# Importance of Data in Providing Quality Assistance

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Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment**

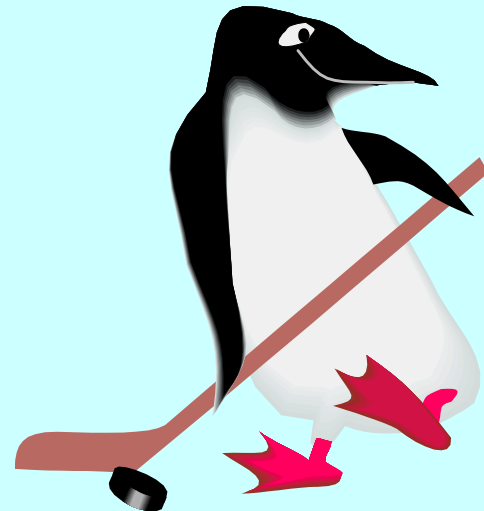
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**<http://www.cdphe.state.co.us/hm/>**

# Goal

- With relatively little work, existing data can be evaluated to better guide compliance assistance efforts.



# Key Questions

- What are the aspects of existing data that are important to providing quality compliance assistance?
- How should the data be evaluated and how sophisticated does the evaluation need to be?
- What are some examples of improvements in compliance assistance tools and delivery that result from “smart” compliance assistance?

# Background Information

- Remedial Program
  - Superfund, PA/SI, Voluntary Cleanup
- Federal Facilities Program
  - Corrective action, permits, inspections, base closures & redevelopment
- Compliance Program
  - Inspections, enforcement, corrective action, solid waste
- Compliance Coordinator
  - Compliance assistance and technical support

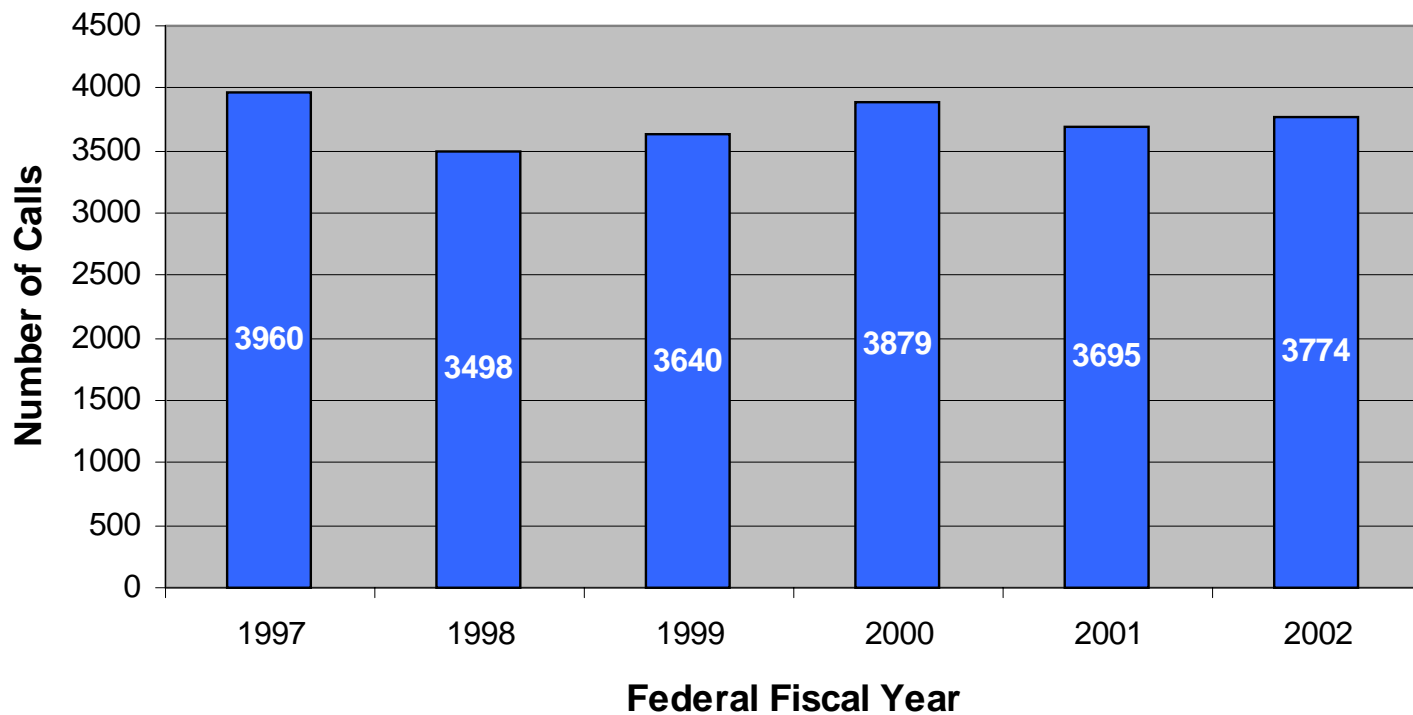
# Compliance Assistance

- Respond to oral and written technical questions regarding solid and hazardous waste regulations – Customer Technical Assistance (CTA) Line
- Develop guidance documents, brochures and other compliance aids
- Maintain division web pages
- Provide training and topic-specific speakers on request
- Provide technical expertise for situations not normally covered by other programs

# Who are our customers?

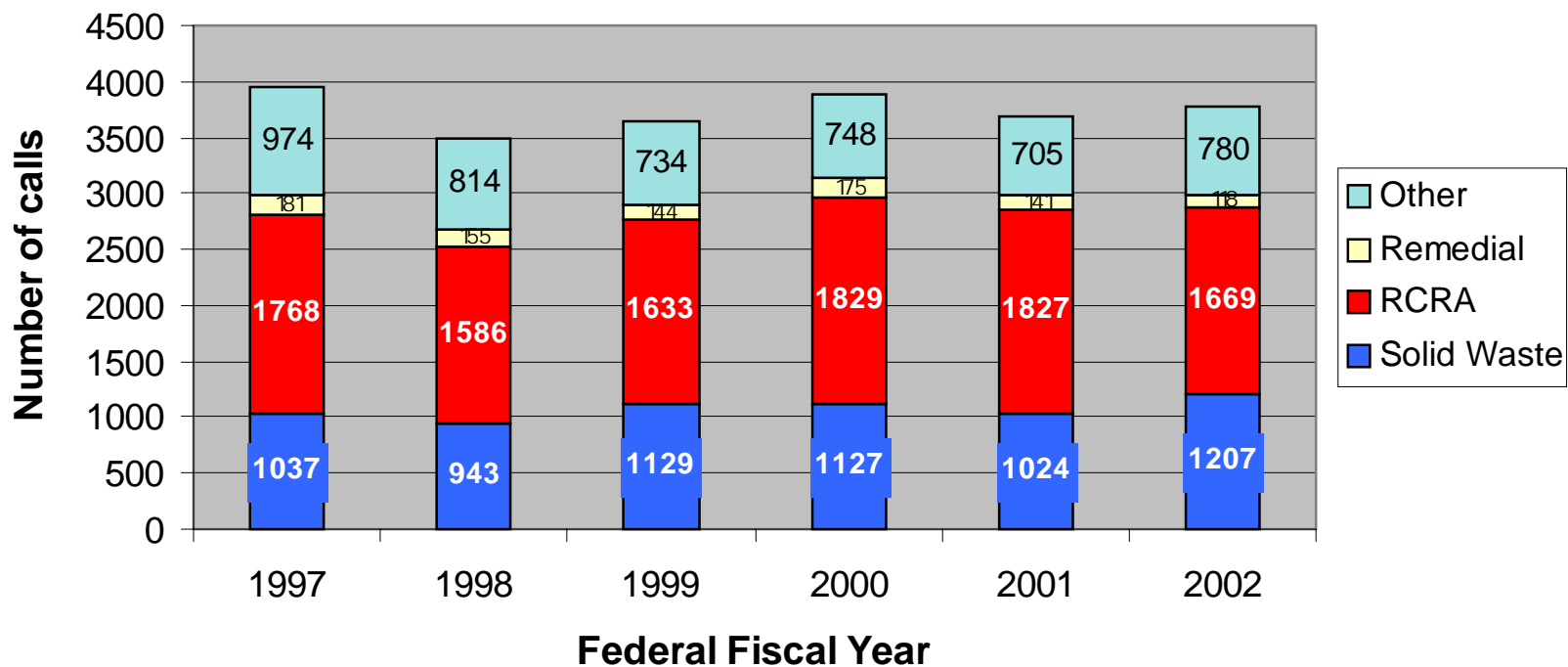
- Contractors
- Regulated facilities
- General public and concerned citizens
- Students
- Real estate agents
- Attorneys
- Local and state agencies
- Legislature

## Customer Technical Assistance Line Annual Calls



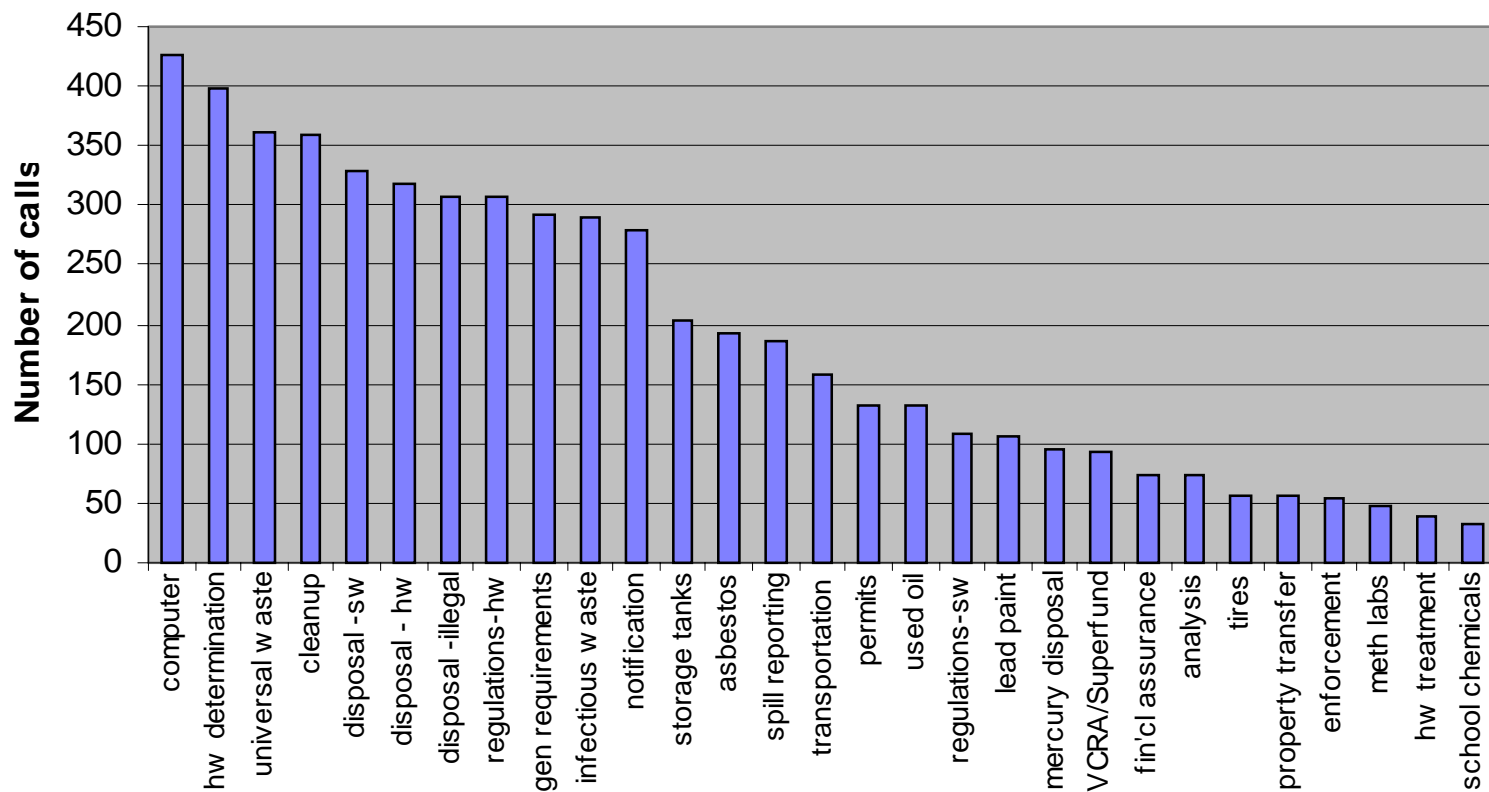


## Customer Technical Assistance Line Calls by Program

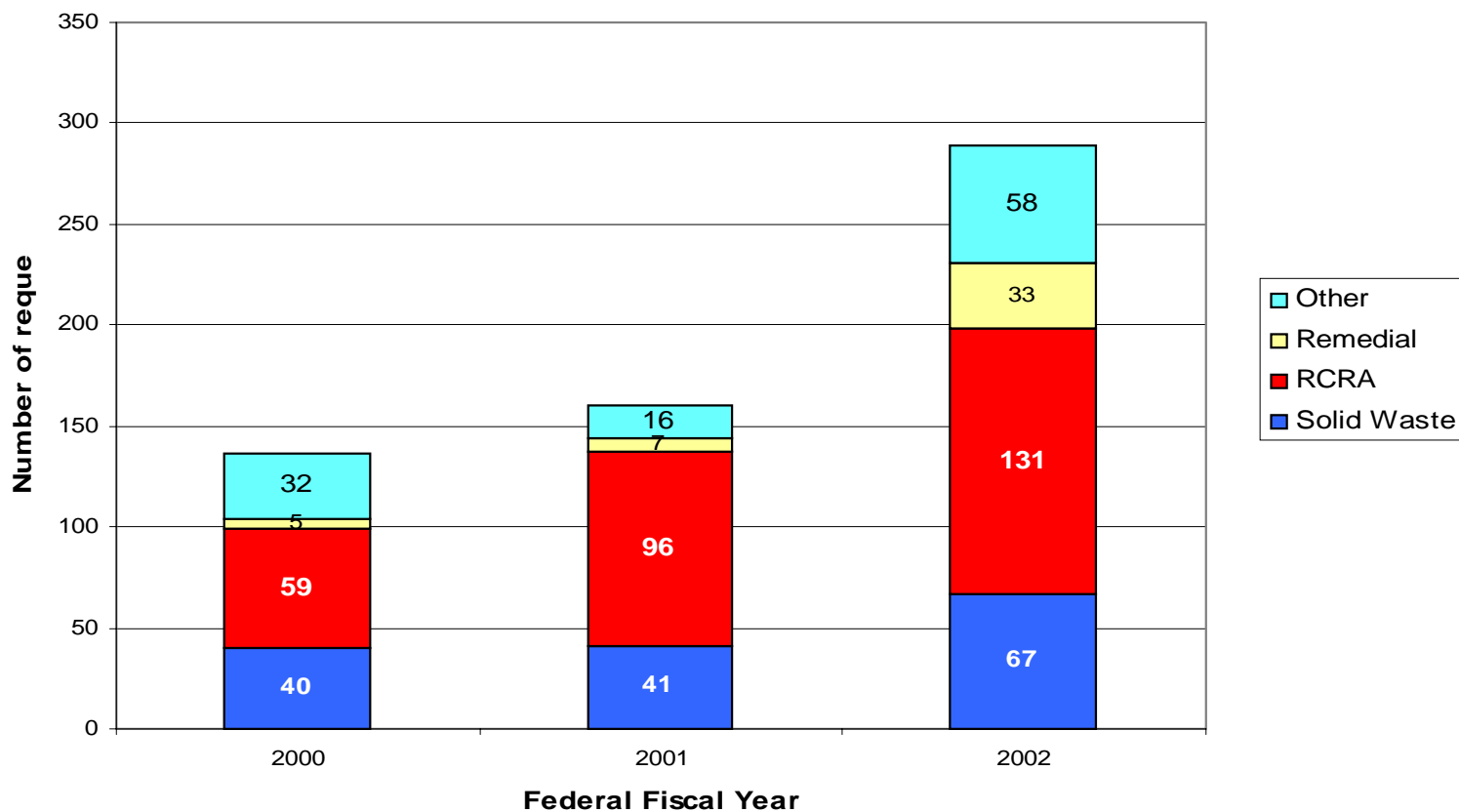


## Customer Technical Assistance Line Call Subjects

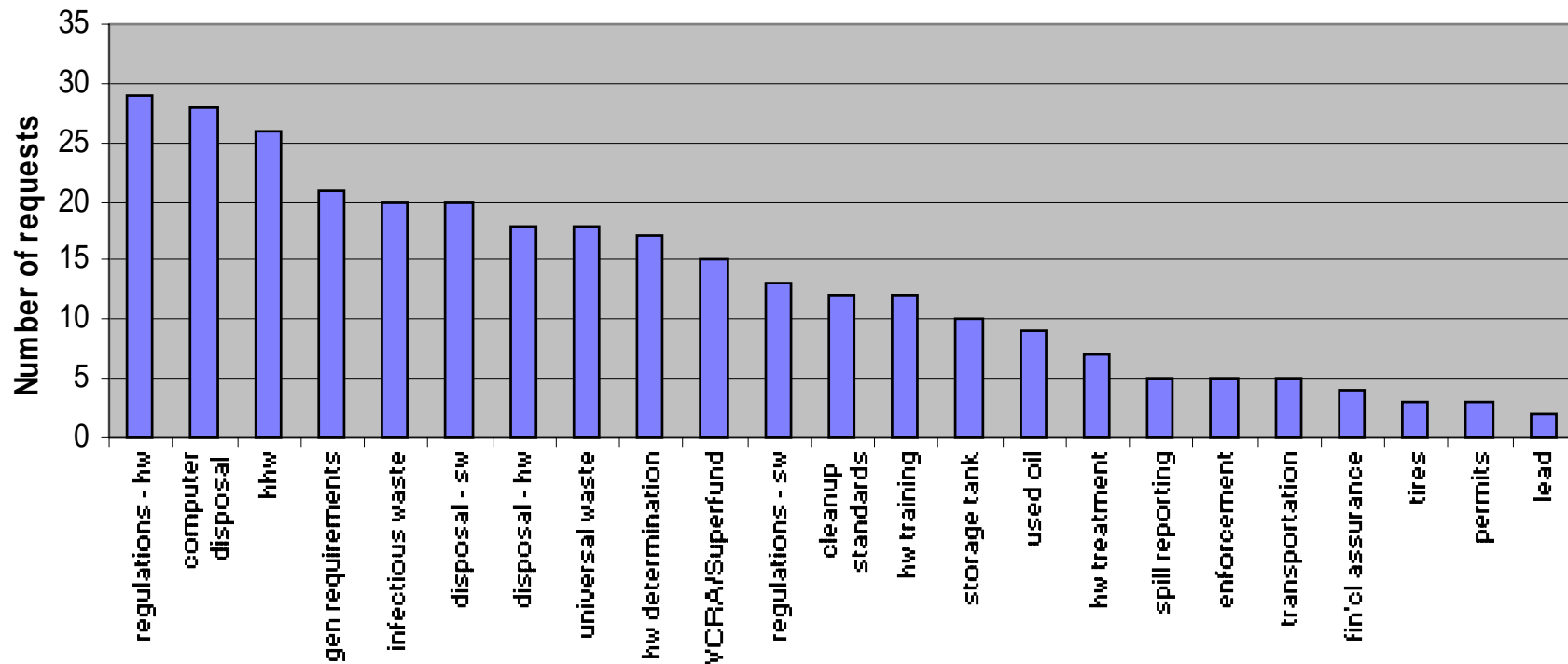
2000-2002 (excluding HHW)

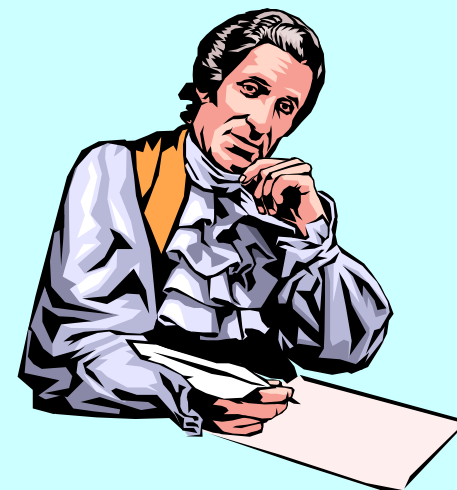


### Customer Technical Assistance Written Requests for Information by Program



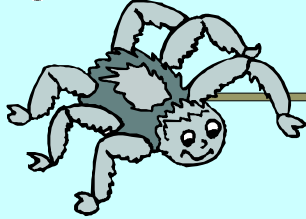
### Customer Technical Assistance Written Request Subjects 2000-2002





What did we do with this information?

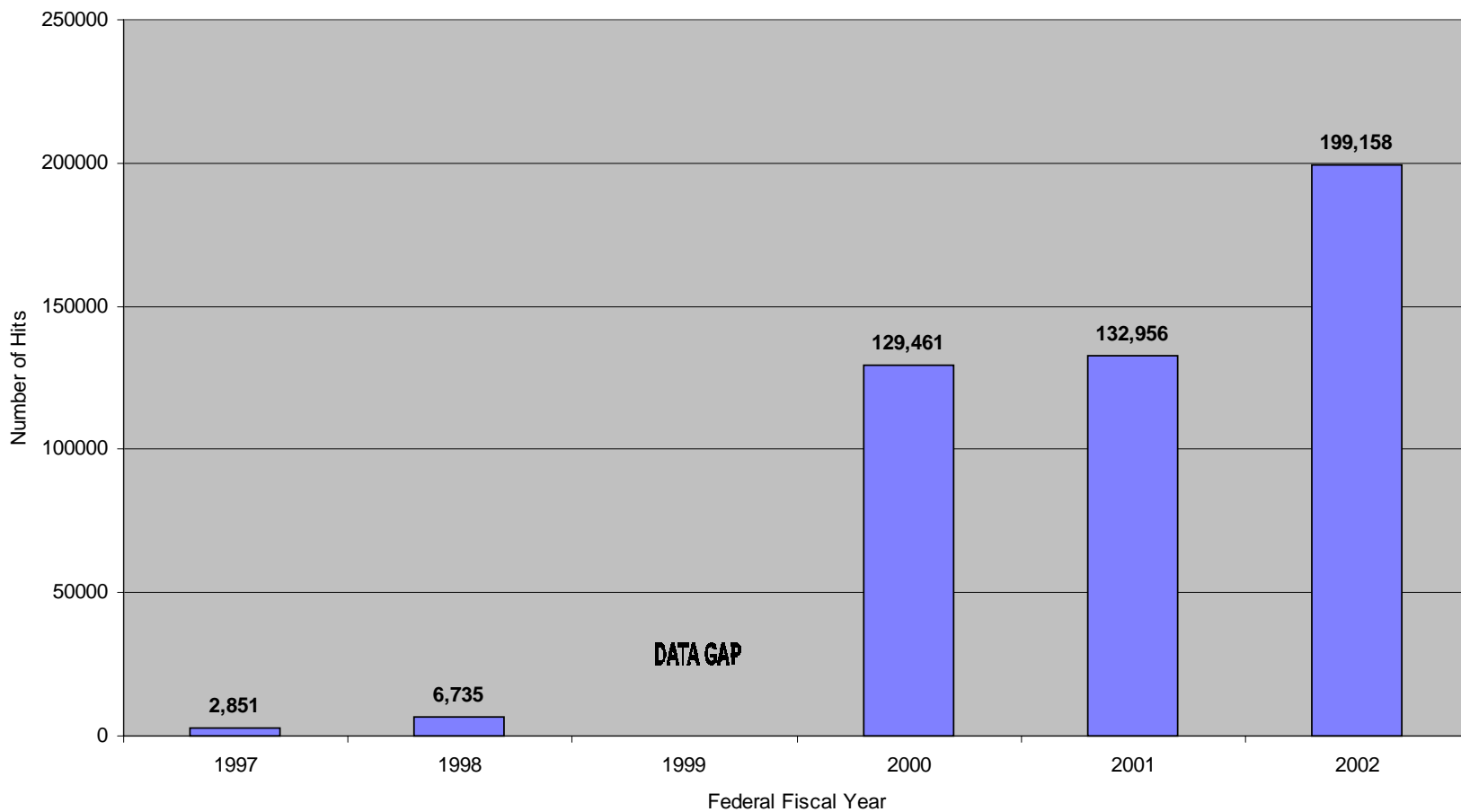
- Based mainly on feedback to our technical assistance line, we began to develop written guidance materials.
- Some guidance materials were on general topics and others were very topic-specific.



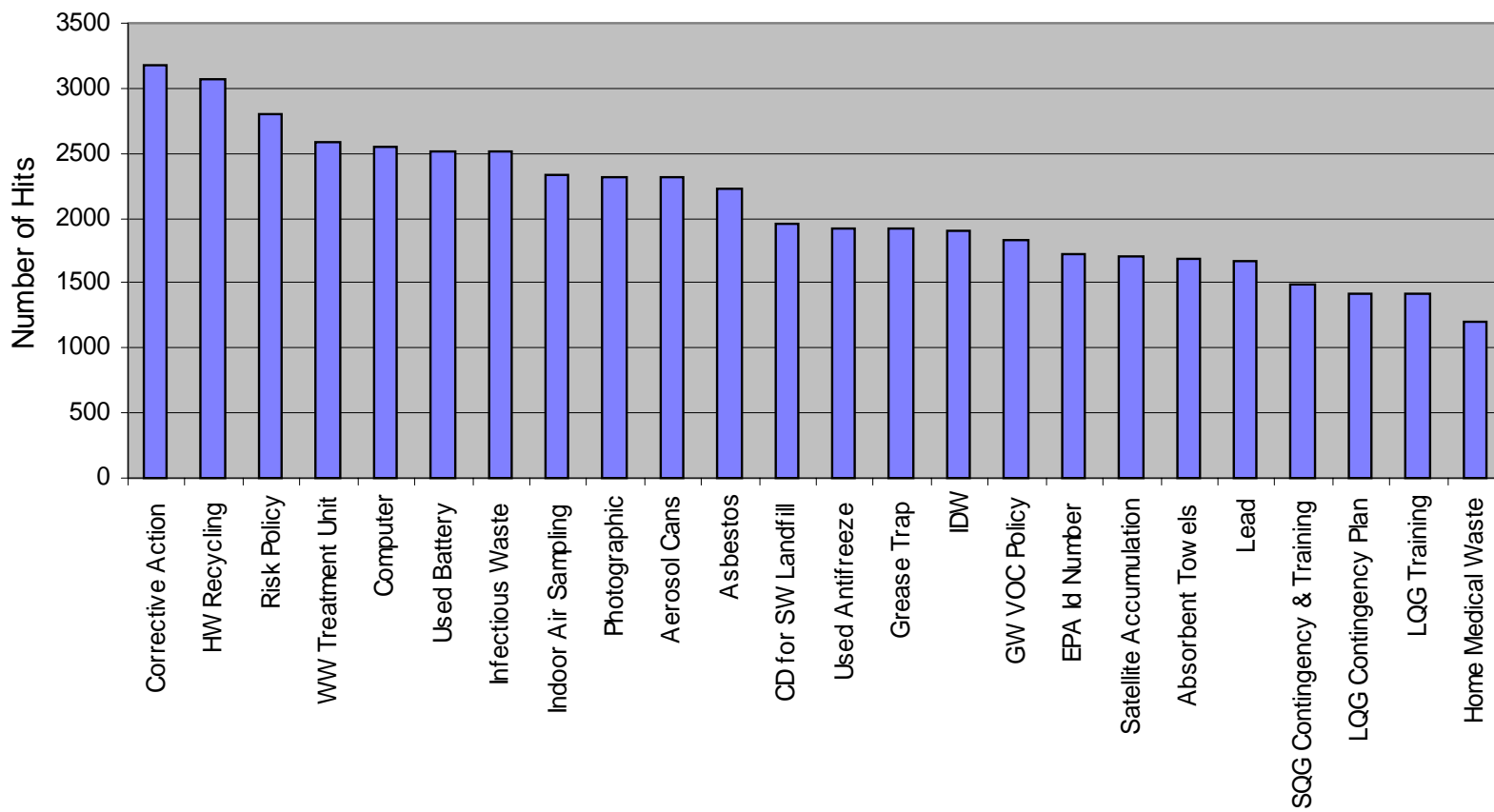
- After discussing their regulatory questions in detail, the next two questions were invariably:
  - Can I get that in writing?
  - Is this available on the Internet?
- Our answer to both – (generally)YES!



**Hazardous Materials and Waste Management Division  
Annual Web Hits**



### Website Hits to Guidance Documents



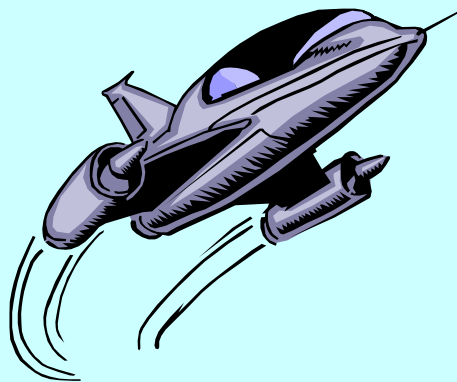


## What else is on our Web page?

- Superfund site summaries, voluntary cleanup and Brownfields
- Newsletters
- Press Releases
- Initiatives like mercury reduction
- Enforcement, environmental covenants and file reviews
- GIS mapping – initial phase

# Running in a parallel universe . . .

- Hazardous Waste Program
  - Compliance Unit (Inspections & Enforcement)
  - Corrective Action Unit (HW cleanups)



# Hazardous Waste Compliance Unit

- 7 Inspectors
- ~250 Inspections/year
- Inspection Results
  - No Violations
  - Compliance Advisory (informal)
  - Compliance Order (formal)
    - Usually includes fines/penalties



## Hazardous Waste Compliance Unit

- Treatment, storage, disposal facilities (TSDF)
  - 35 in Colorado
- Large Quantity Generators (LQG)
  - 150 in Colorado
- Small Quantity Generators (SQG)
  - 1100 in Colorado
- Conditionally Exempt Generators (CESQG)
  - 10K to 50K in Colorado
- Other facilities
  - HW Transporters (~100 in Colorado)
  - HW Transfer Facilities (~10 in Colorado)
  - Other (complaints, etc) (number varies)

## “Typical” Inspection Process

- Make arrangements with facility
- Conduct inspection – keep an eye out for compliance assistance opportunities
- Complete Notice of Inspection (NOI) and provide a signed copy to facility rep
- May issue Compliance Advisory in the field or after reviewing submitted information (informal enforcement)
- Complete back of NOI and submit for data entry into RCRIS
- May issue Compliance Order for significant or multiple violations (formal enforcement)



## Notification of Inspection Form

<b>Colorado Department of Public Health and Environment</b> <b>Hazardous Materials and Waste Management Division</b> 4300 Cherry Creek Drive South, Mail Code: HMWMD-CP-S2, Denver, CO 80246-1530 (303) 692-3300				
<b>Notice of Inspection</b>				
Facility Name:			EPA I.D. #	Date
Street			Telephone #	Soc. #
City	County	Zip	Inspection Arranged Prior to Inspection ( ) Yes ( ) No	Hour In:
Facility Representatives and Titles			Enter By: ( ) Consent ( ) Warrant	Hour Out:
			Agency: ( ) State ( ) Oversight ( ) Joint	
NOTIFICATION(S): <input type="checkbox"/> LOG, <input type="checkbox"/> SQS, <input type="checkbox"/> Exempt, <input type="checkbox"/> LDF, <input type="checkbox"/> TSP, <input type="checkbox"/> Transporter, <input type="checkbox"/> Non-Notifier, or <input type="checkbox"/> Other <small>If State Changes, Facility Should Revise Notification.</small>				
COMMENTS:				
Compliance Assistance: <input type="checkbox"/> Compliance Information <input type="checkbox"/> Referral to Compliance Assistance <input type="checkbox"/> Pollution Prevention <input type="checkbox"/> Field Assistance				
Samples, Documents, Plans, and / or Photos Collected			4.	
1.			5.	
2.			6.	
3.			7.	
Samples requested and received by facility: ( ) Yes ( ) No If Yes: ( ) Duplicate ( ) Split				
The facts established by this inspection will be reviewed by State personnel. A final determination of your facility's compliance with State Regulations will be made as a result of this review. The review may reveal additional violations.				
Receipt of this Notice of Inspection Form is Acknowledged			Lead Inspector:	
			Assisting Inspector(s) and Multimedia Participant(s):	
Signature of Facility Representative				
<small>White tags to File, Pink tags to Tracking, Yellow tags to Facility</small>				



Back of NOI form –  
inspector notes  
regulatory areas  
inspected and  
findings

Revised 8/24/05

## NOTICE OF INSPECTION

**TYPE OF EVALUATION** - Check all that apply

<input type="checkbox"/> CEI Compliance Evaluation Inspection	<input type="checkbox"/> CIP Compliance Evaluation Partial
<input type="checkbox"/> CAO Corrective Action Inspection	<input type="checkbox"/> SPL Sampling By CDH
<input type="checkbox"/> CAR Corrective Action Review	<input type="checkbox"/> CDI Case Development Inspection
<input type="checkbox"/> CME Comprehensive Monitoring Evaluation	<input type="checkbox"/> NRR Record Review
<input type="checkbox"/> CMS CME Without Sampling	<input type="checkbox"/> MMC Multi-Media Inspection
<input type="checkbox"/> OAM Operation & Maintenance	<input type="checkbox"/> Type _____
<input type="checkbox"/> CSE Enforcement Follow-up Inspection	<input type="checkbox"/> FRR Financial Record Review
<input type="checkbox"/> EFR Enforcement Follow-up Review	<input type="checkbox"/> LBN Land Ban Inspection
<input type="checkbox"/> PCI Pre-Permit/Closure Plan Inspection	<input type="checkbox"/> OTH Other _____

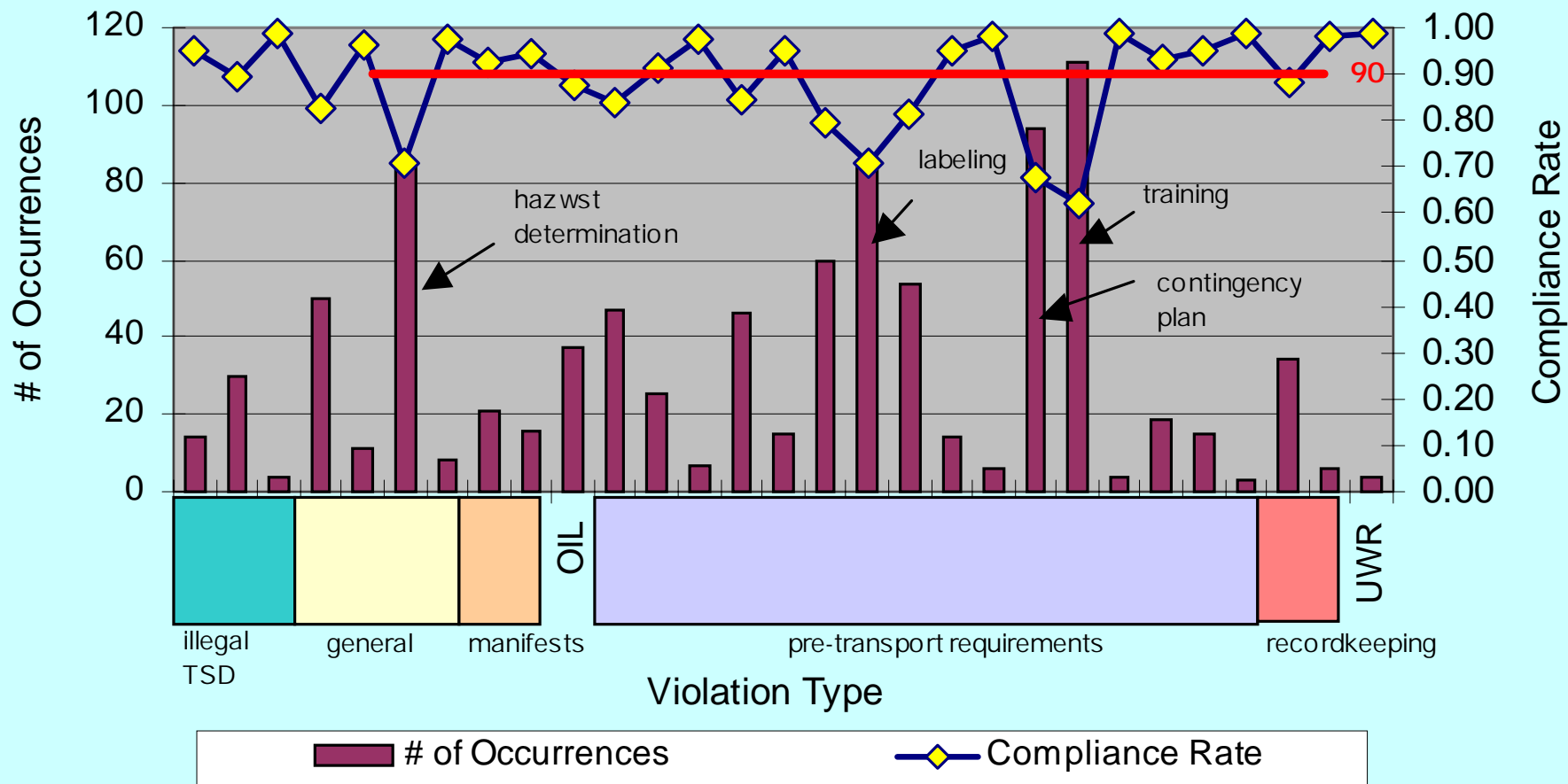
**REASON FOR EVALUATION** - Complete Only If Applicable.

<input type="checkbox"/> Citizen Complaint	<input type="checkbox"/> Withdrawal of Part A
<input type="checkbox"/> Return to Compliance after Closure	<input type="checkbox"/> Closure Approval
<input type="checkbox"/> Sampling Oversight by CDH	<input type="checkbox"/> 3097 Issued
<input type="checkbox"/> Compliance Survey	<input type="checkbox"/> Other _____
Type _____	

**COVERAGE AREAS** - Complete for all areas evaluated. Enter the following violation determination codes identified at the time of inspection. Y = Yes (evaluated with violation), N = No (evaluated; no violation), and U = Undetermined.

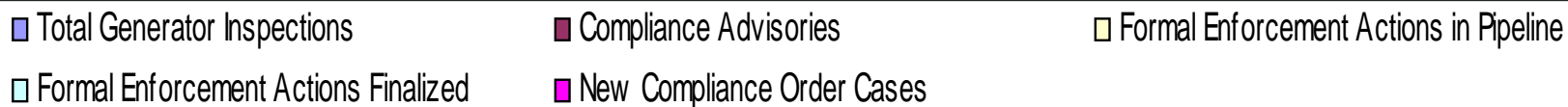
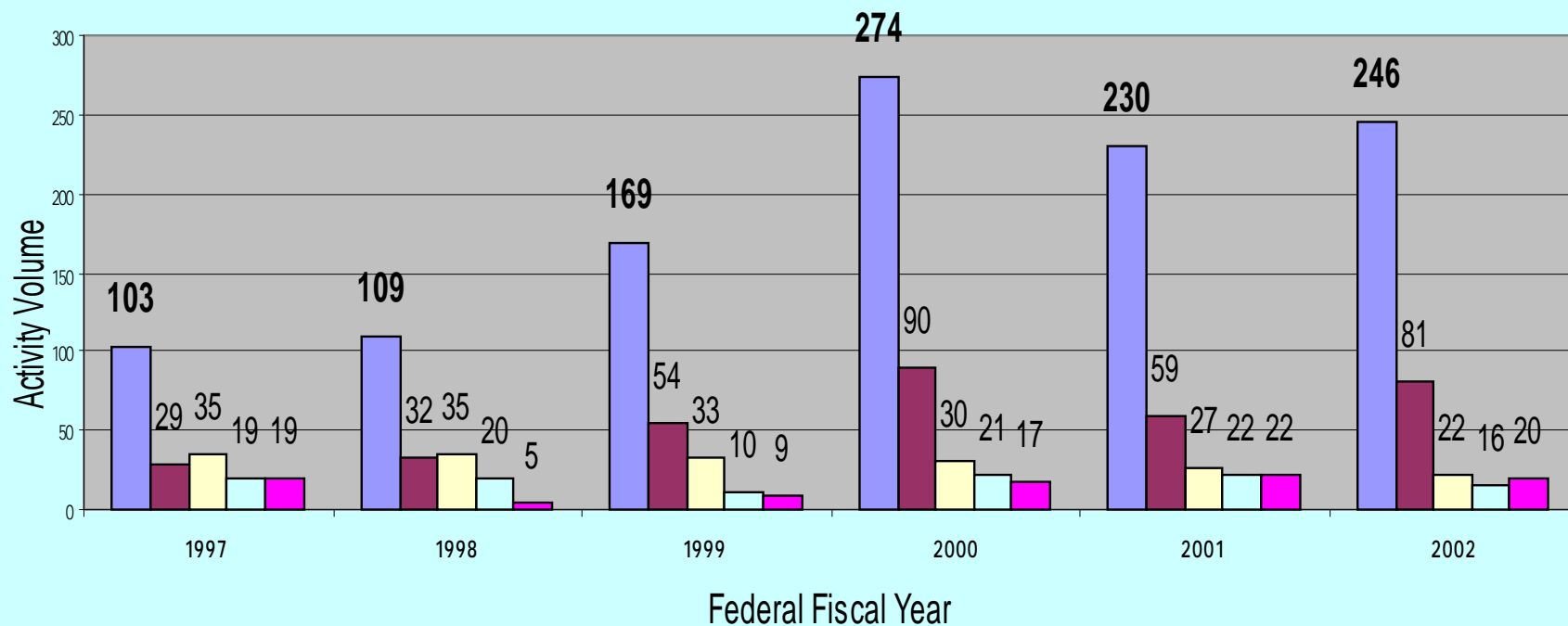
GENERATOR REQUIREMENTS		TSD REQUIREMENTS	
<b>GENERAL REQUIREMENTS</b> <input type="checkbox"/> GRA 262.11 Haz Waste Determination <input type="checkbox"/> GRB 262.12 EPA ID numbers  <b>MANIFEST REQUIREMENTS</b> <input type="checkbox"/> MRA 262.20 General Reports <input type="checkbox"/> MRB 262.22 Number of copies <input type="checkbox"/> MRC 262.23 Use of the Manifest  <b>PRE-TRANSPORT REQUIREMENTS</b> <input type="checkbox"/> PTA 262.30 Packaging <input type="checkbox"/> PTB 262.31 PUC/DOT Labeling <input type="checkbox"/> PTC 262.32 Marking <input type="checkbox"/> PTD 262.33 Placarding <input type="checkbox"/> PTE 262.34 a.1 Accumulation time <input type="checkbox"/> PTF 262.34 a.1.i Condition of containers <input type="checkbox"/> PTG 262.34 a.1.i Open containers <input type="checkbox"/> PTH 262.34 a.1.i Incompatible wastes <input type="checkbox"/> PTI 262.34 a.1.ii Tank Mgmt <input type="checkbox"/> PTJ 262.34 a.2.3 Container Labeling <input type="checkbox"/> PTK 262.34 a.4 Preparedness & Prevention <input type="checkbox"/> PTL 262.34 a.4 Contingency Plan <input type="checkbox"/> PTM 262.34 a.4 Training <input type="checkbox"/> PTN 262.34 a.4 Waste Analysis Plan		<b>PRE-TRANSPORT REQUIREMENTS (cont)</b> <input type="checkbox"/> PTO 262.34.4 & g Satellite Accumulation <input type="checkbox"/> PTP 262.34.4.3 SQG Listing Prep <input type="checkbox"/> PTQ 262.34 d.5.ii SQG Listing <input type="checkbox"/> PTR 262.34 Other _____  <b>RECORDKEEPING REQUIREMENTS</b> <input type="checkbox"/> RKA 262.40 Recordkeeping <input type="checkbox"/> RKB 262.41 Biennial Reporting  <b>CESQG REQUIREMENTS</b> <input type="checkbox"/> CQG 261.5 CESQG Reports  <b>USED OIL REQUIREMENTS</b> <input type="checkbox"/> OR 279 Used Oil Req.  <b>OTHER GENERATOR REQMTS</b> <input type="checkbox"/> GOR Other Generator Reports <input type="checkbox"/> _____ <input type="checkbox"/> _____  <b>LAND BAN REQUIREMENTS</b> <input type="checkbox"/> LBR 268 Land Ban Reports	
<b>TRANSPORTER REQUIREMENTS</b> <input type="checkbox"/> TGB General <input type="checkbox"/> TMR Manifest <input type="checkbox"/> TWD Discharge/Spill <input type="checkbox"/> TOR Other _____		<b>OTHER REQUIREMENTS</b> <input type="checkbox"/> FEA Formal Enforcement Agreement <input type="checkbox"/> CAS Corrective Action Schedule <input type="checkbox"/> CSS Compliance Schedule <input type="checkbox"/> UWR Universal Waste Requirements	

## LQG Violation Frequency 1997-2002

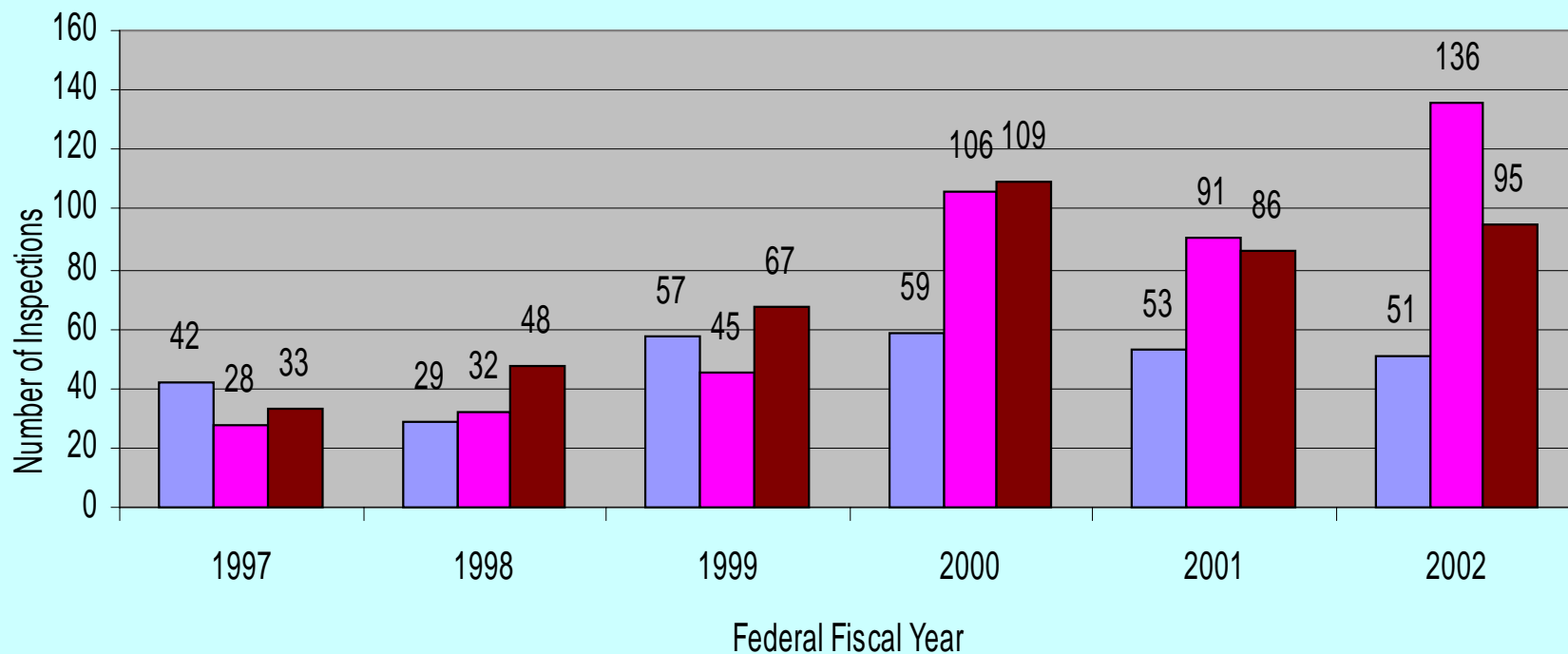




## Annual Hazardous Waste Inspection and Enforcement Volume



## Annual Inspection Volume By Generator Type

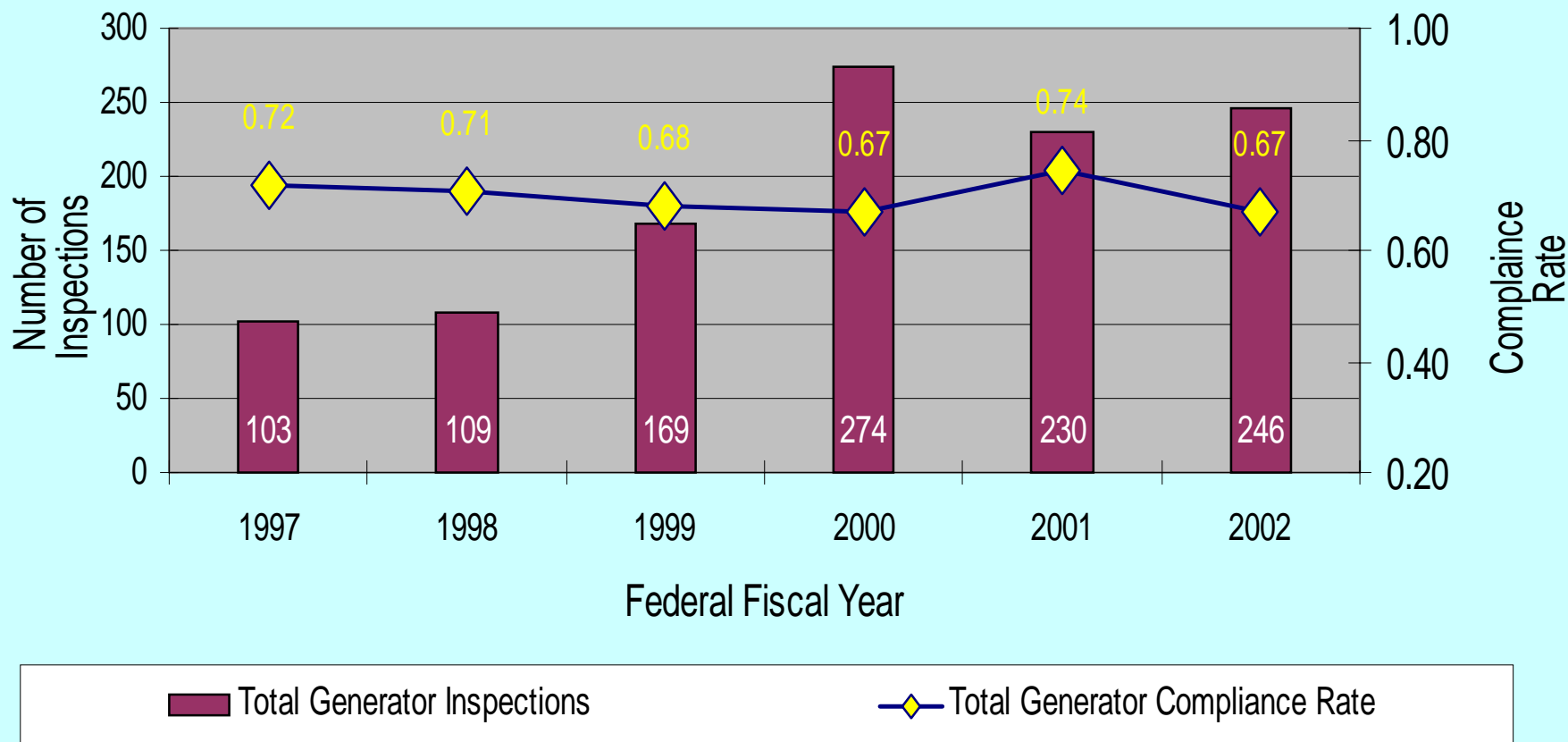


■ LQG Inspections

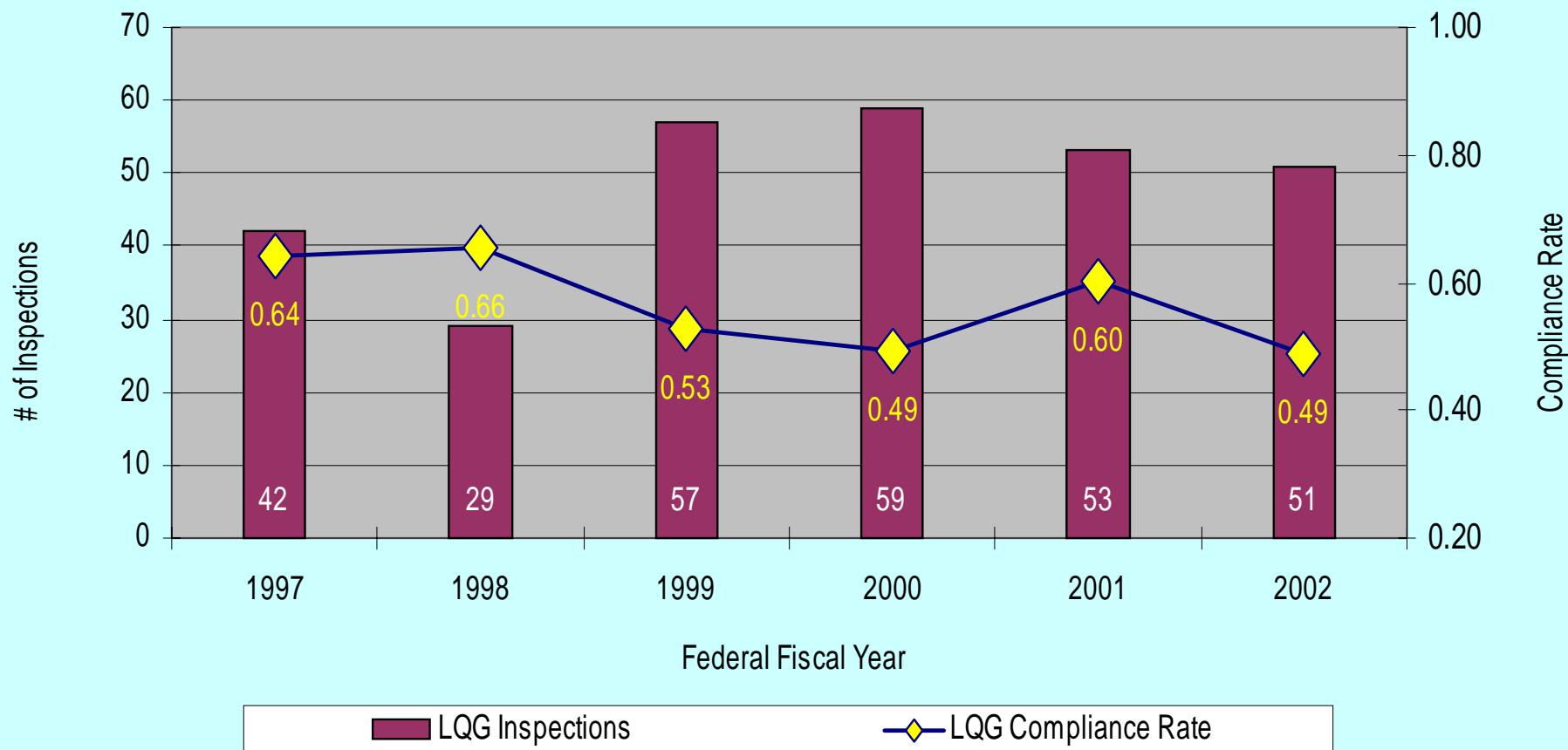
■ SQG Inspections

■ CESQG Inspections

## Annual Compliance Rate - All Generators

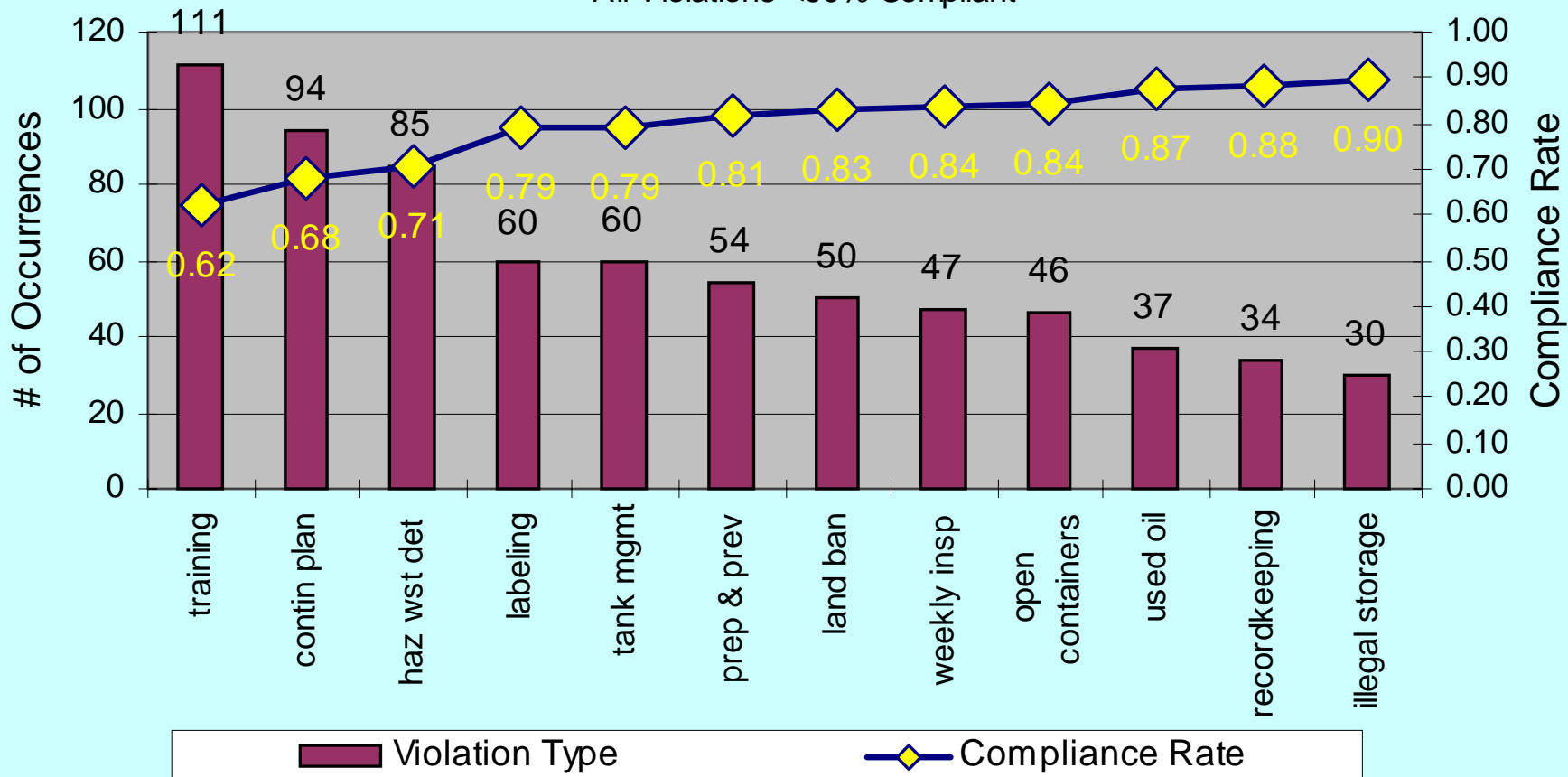


## Annual Compliance Rate - LQGs

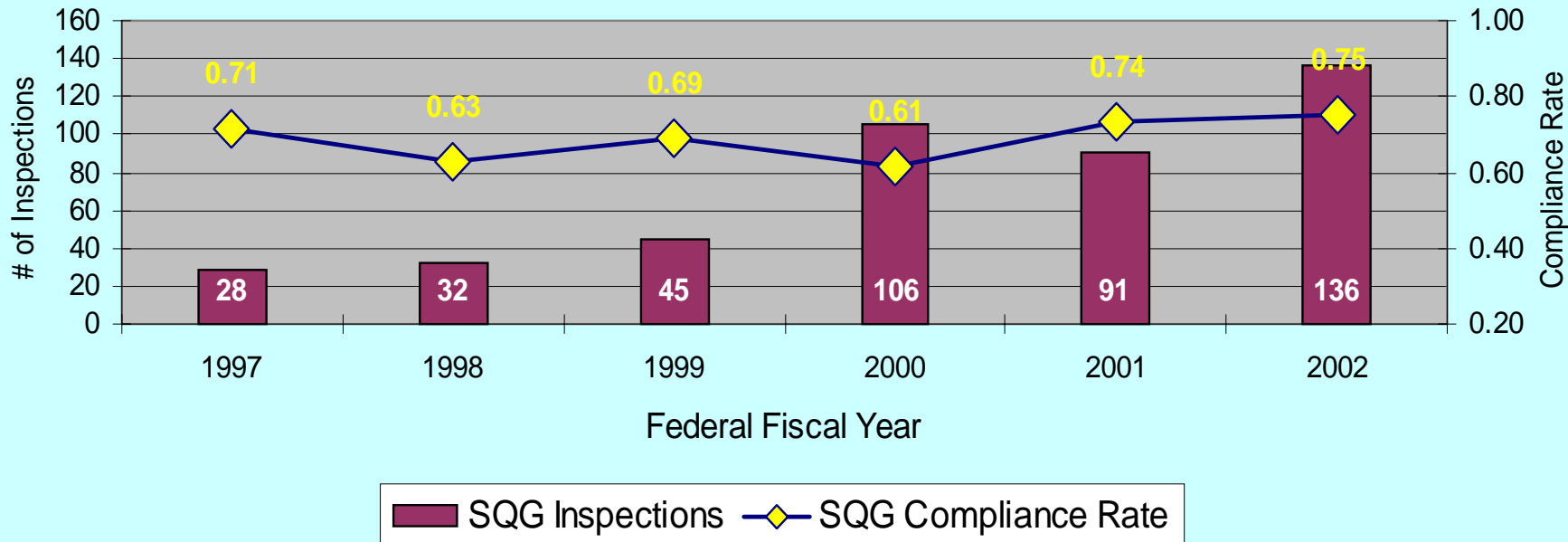


## LQG Violation Frequency 1997 to 2002

All Violations <90% Compliant

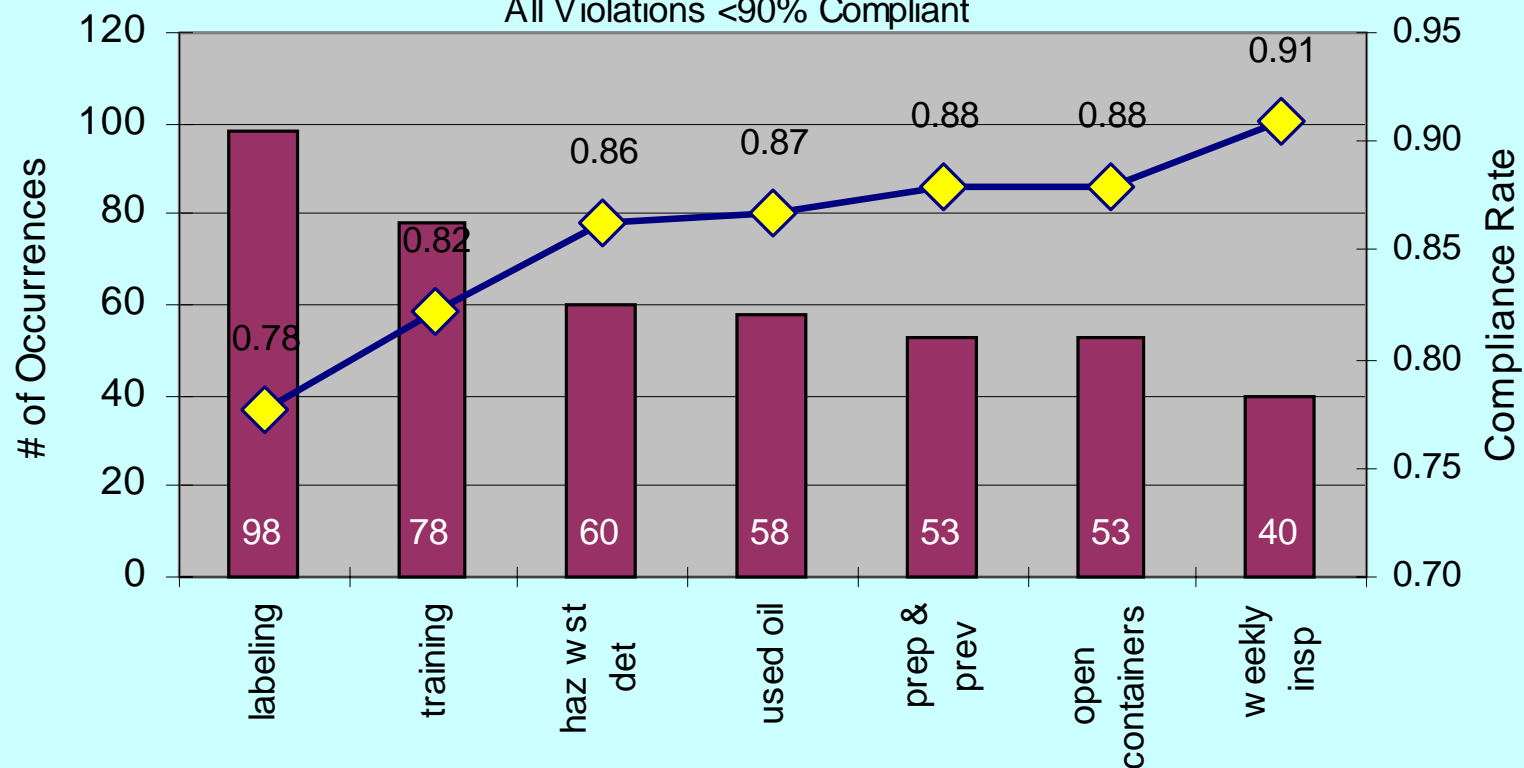


## Annual Compliance Rate - SQGs

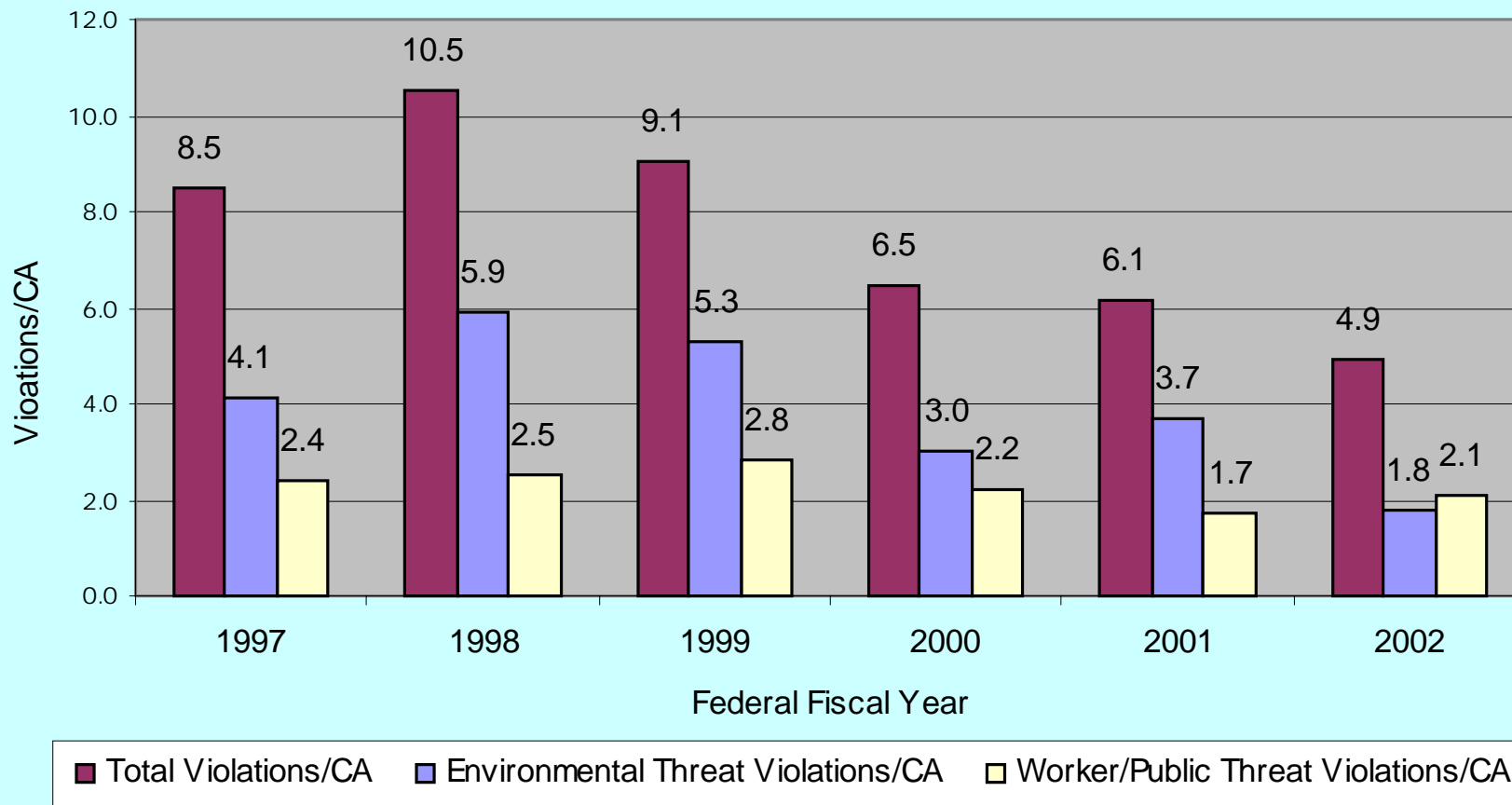


## SQG Violation Frequency - 1997 to 2002

All Violations <90% Compliant

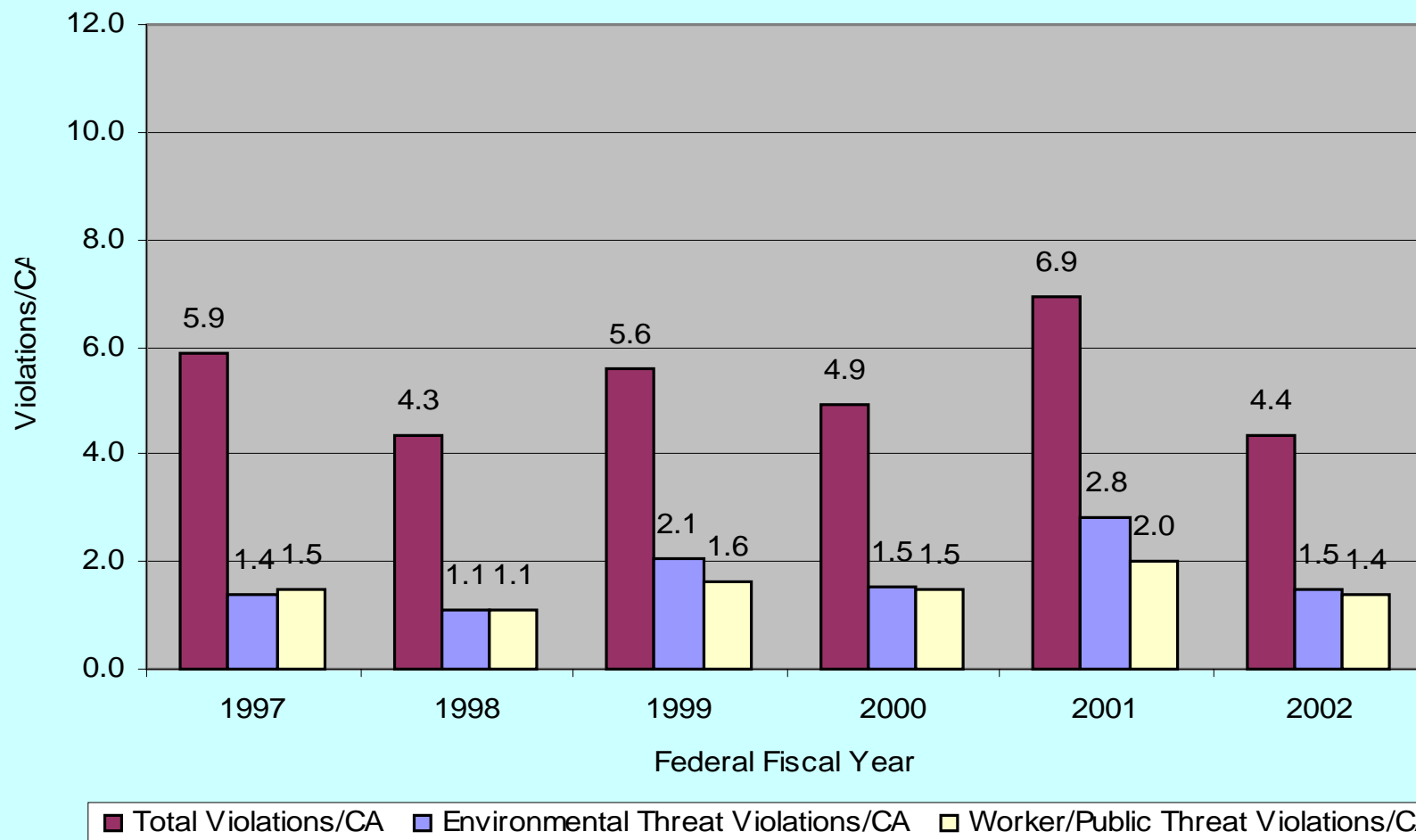


## LQGs - # of Violations Per Compliance Advisory

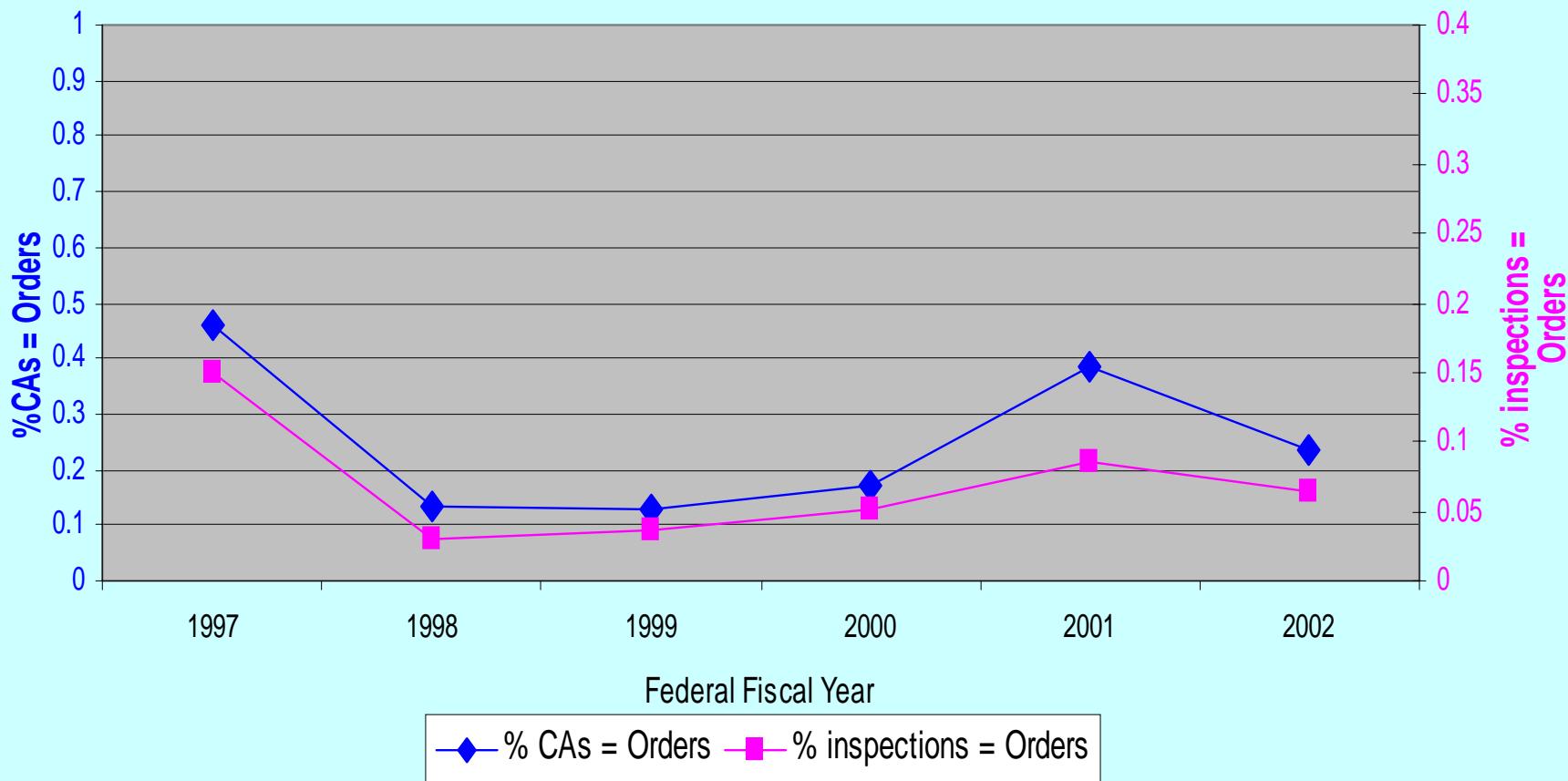




## SQGs - # of Violations per Compliance Advisory



## Formal Enforcement Rate



## “Smart” compliance assistance seems to be working

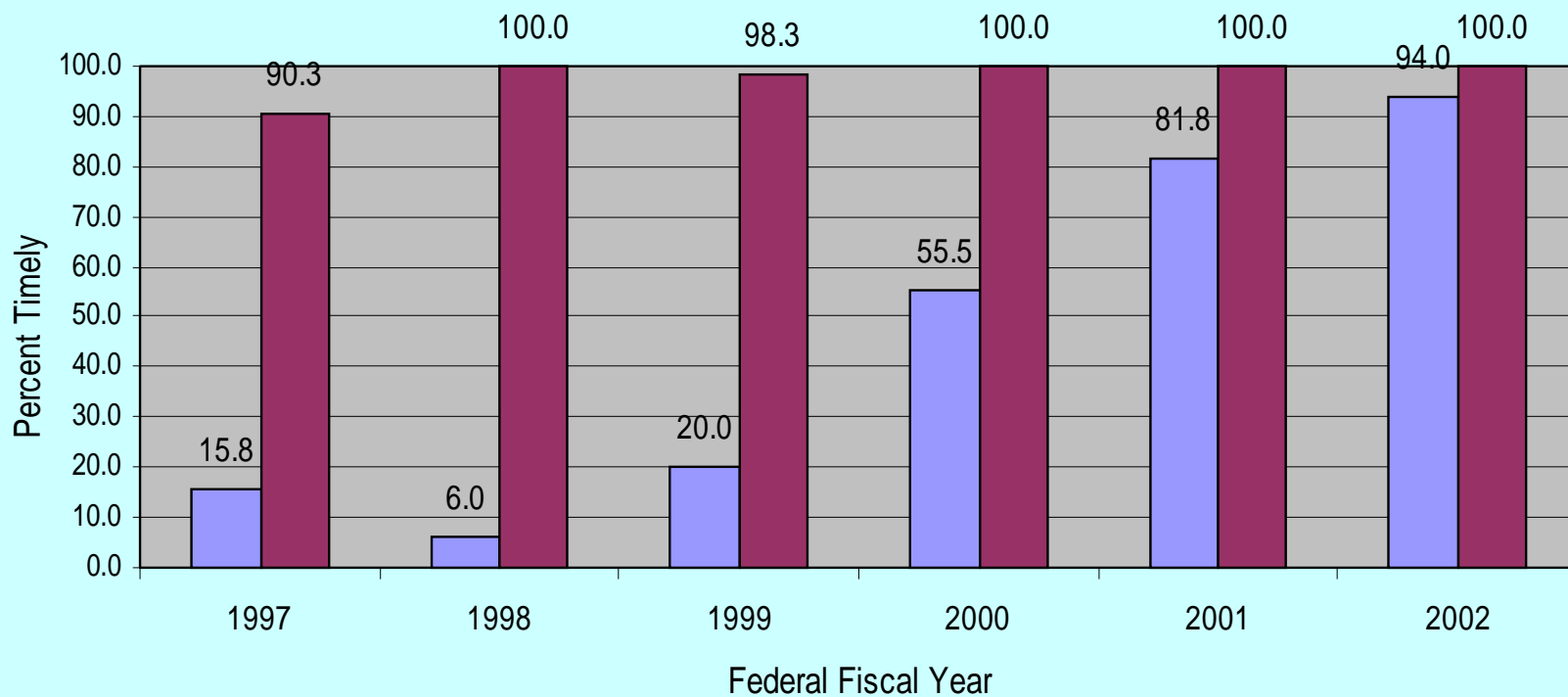
- Even though we’re inspecting more facilities and the percentage of compliance advisories issued is holding fairly steady, the number of violations per advisory is decreasing.

# What else can you do with this data?

- Track program efficiency
- Track inspector performance



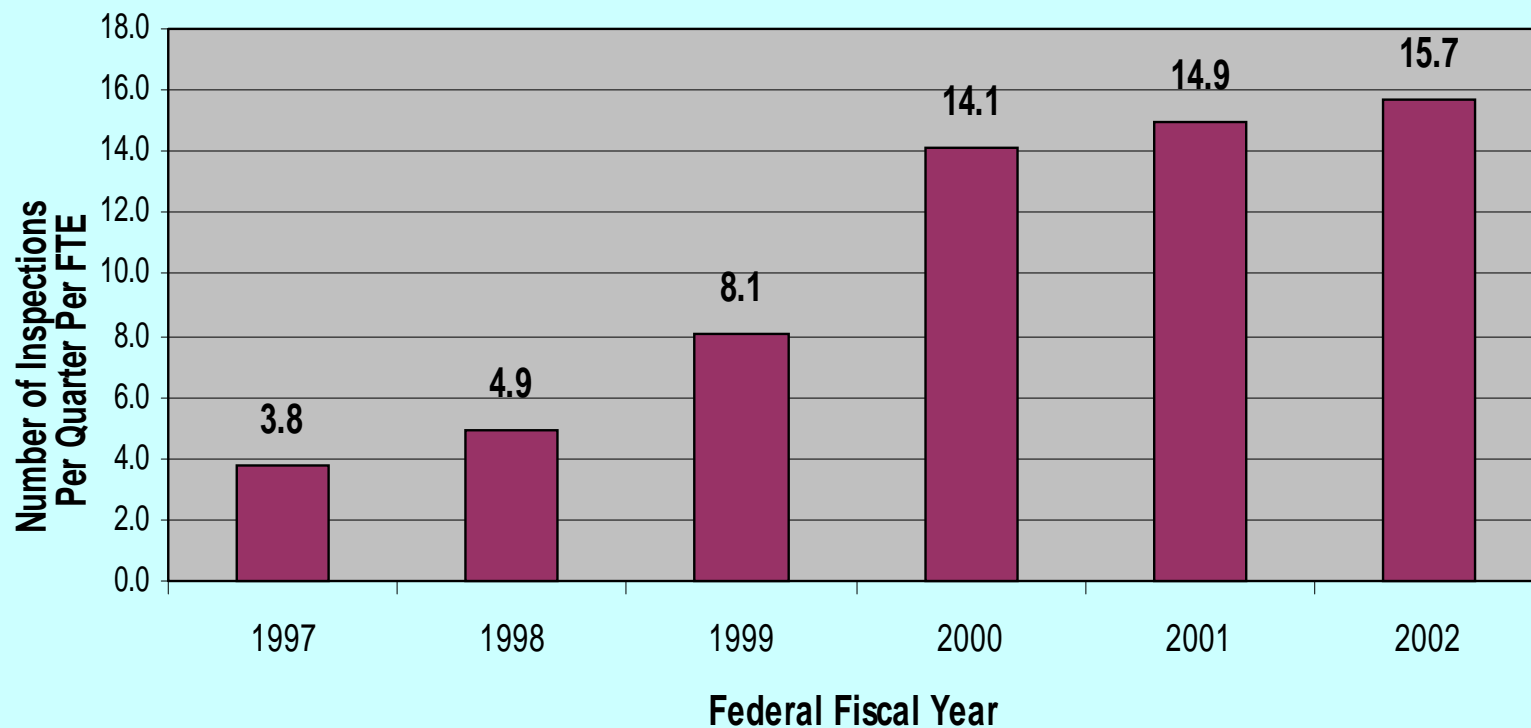
## Enforcement Timeliness



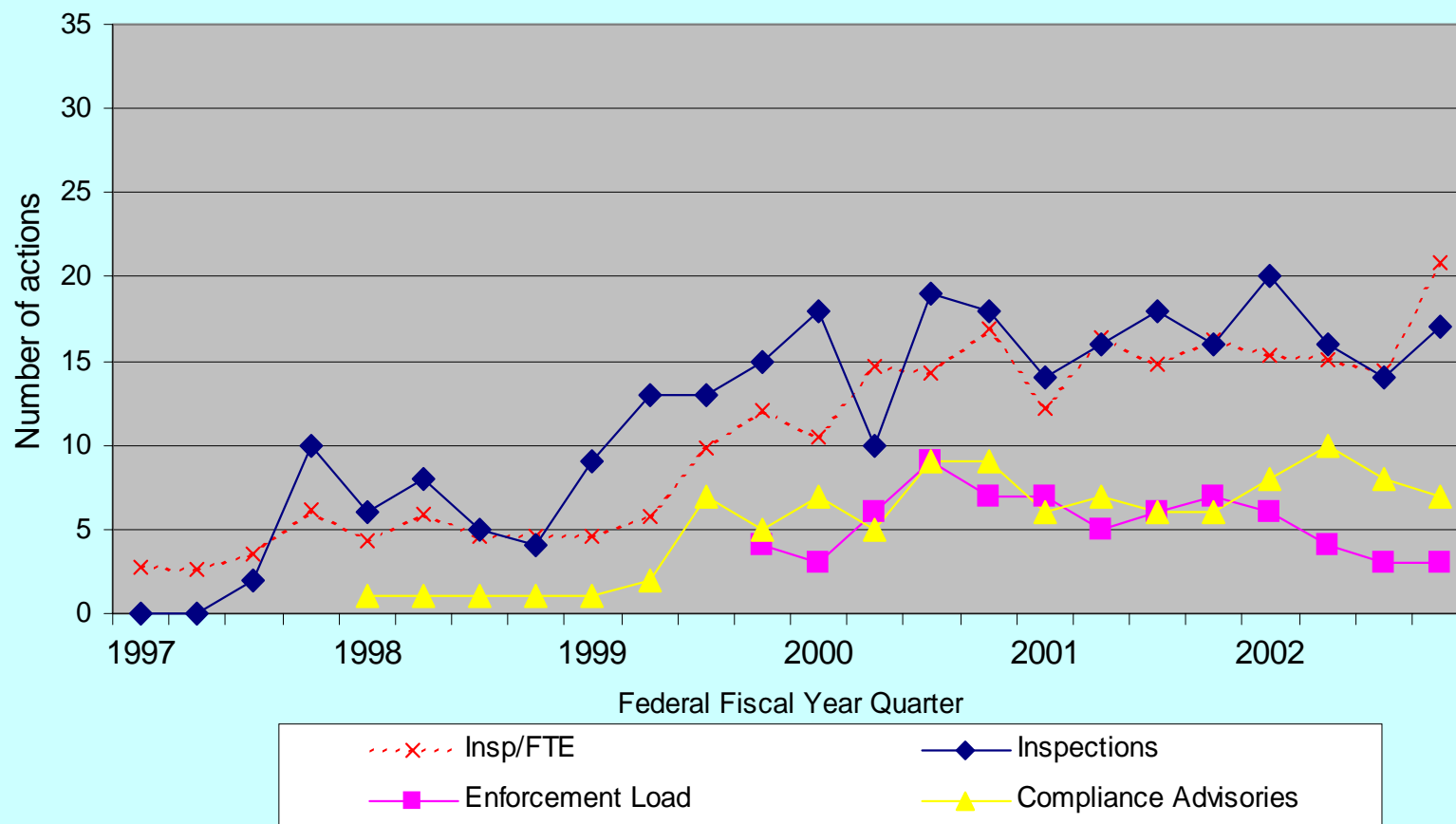
■ % Final Actions Timely

■ % Compliance Advisories Timely

## Inspector Efficiency



## Quarterly Data - Inspector 1



So, what happened as a result of our compliance assistance efforts?

- Our customers are more satisfied with a verbal answer followed by written guidance they can ponder, spill coffee on, and try to think of ways around.
- They really love instant access to guidance and regulations via the Web.



- Consistency - Our customers spend more time working and less time shopping around for answers.
- Our inspectors enjoy stream-lined and standardized inspection tools and formats.

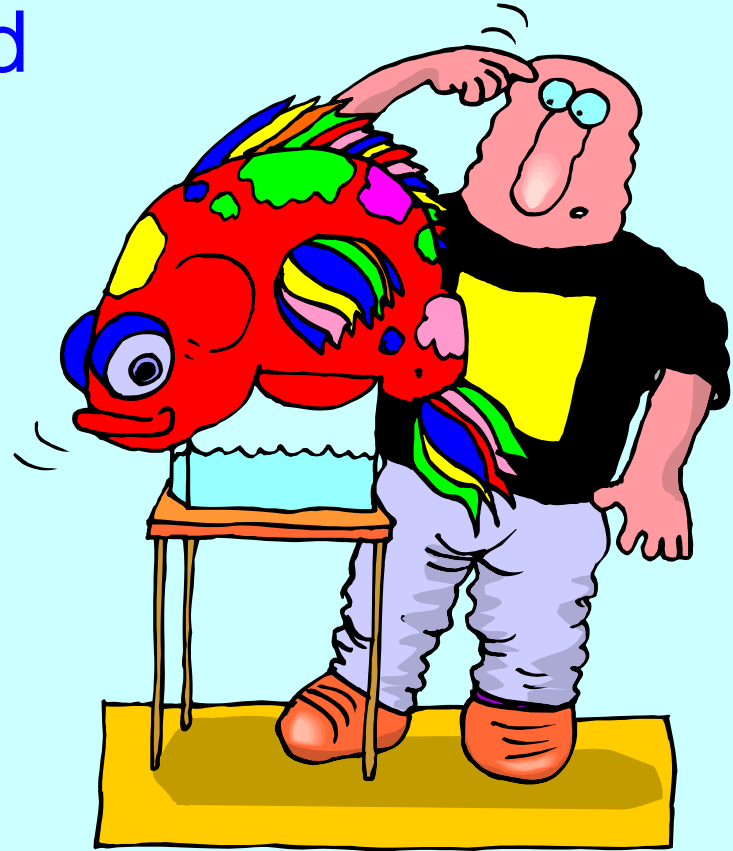


# Guidance Documents

- Electronics Waste
- EPA Identification Number
- Absorbent Towels
- Lead
- Lighting Wastes
- Used Antifreeze
- Aerosol Cans
- Used Battery
- Photographic, X-ray, and Dental
- Universal Waste
- Asbestos
- CD for SW Landfill
- Grease Trap
- Infectious Waste
- Home Medical Waste
- Petroleum Contaminated Soils
- VCRA Roadmap
- Indoor Air Sampling
- Groundwater VOC Policy
- Guide to Generator Requirements
- HW Exclusions
- HW Identification
- HW Recycling
- HW Treatment
- LQG Contingency Plan
- LQG Training Text
- SQG Contingency, Preparedness, Training
- Satellite Accumulation
- Transporter guide
- Draft Soil Standards
- Corrective Action
- Wastewater Treatment Unit Policy
- Risk Policy
- Integrated Corrective Action Plan
- Investigation Derived Waste Policy

And ???

- The questions started getting harder.



# Key Questions

- What are the aspects of existing data that are important to providing quality compliance assistance?
  - Keep track of customer contacts – categorize by topic
  - Consistent data entry
  - Plan how to code aspects of inspections
  - Compromise between tracking everything and tracking nothing

# Key Questions

- How should the data be evaluated and how sophisticated does the evaluation need to be?
  - Data evaluation doesn't need to be very sophisticated to provide invaluable insight. A simple spreadsheet and some graphing skills are all it takes. You are limited only by the questions you ask yourself.

## Key Questions

- What are some examples of improvements in compliance assistance tools and delivery that result from “smart” compliance assistance?
  - Guidance document development based on needs of customers (calls, written requests, inspections, etc)
  - Immediate compliance assistance during inspections
  - Training for facility compliance staff
  - Self-certification for SQGs (SCORE program)

## What's on the horizon?

- Simplify (brochure + guidance document)
- More focused training (shorter, single topic, on-site)
- Web-based training development
- Compliance aids  
(what will make them remember???)
- Corrective action guidance





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*The End*